

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

New York City District Council of Carpenters Pension Fund, New York City District Council of Carpenters Welfare Fund, New York City District Council of Carpenters Annuity Fund, and New York City District Council of Carpenters Apprenticeship, Journeyman Retraining, Education and Industry Fund, by their Trustees, Frank Spencer, Douglas J. McCarron, John Ballantyne, Paul Tyzner, Paul O'Brien, Kevin M. O'Callaghan, Catherine Condon, David Meberg, Bryan Winter, and John DeLollis,

Index No. 11-CIV -5474

ANSWER TO
FIRST AMENDED
COMPLAINT

Plaintiffs,

-against-

Michael Forde, John Greaney, Joseph Olivieri, Brian Hayes, Michael Mitchell, Finbar O'Neill, K.A.F.C.I., Michael Brennan, Turbo Enterprises, Inc., Terence Buckley, Pitcohn Construction Enterprises, Inc., Gerard McEntee, Pyramid Associates Construction Corp., James Duffy, Brian Carson, Joseph Ruocco, John Stamberger, and Michael Vivenzio,

Defendants,

Defendant, Joseph Ruocco, through his attorneys Ira Treuhaft of TREUHAFT & ZAKARIN, LLP, 305 Broadway, 9th Floor, New York, NY 10007, answering the first amended complaint of Plaintiff's responds to the allegations as follows, respectfully shows to this Court and alleges as follows:

NATURE OF ACTION

1. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “1” of the Complaint.
2. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “2” of the Complaint.

ANSWERING JURISDICTION AND VENUE

3. Denies each and every allegation contained in Paragraph “3” of the Complaint and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.
4. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “4” of the Complaint.

ANSWERING THE PARTIES

5. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “5” of the Complaint.
6. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “6” of the Complaint.
7. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “7” of the Complaint.
8. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “8” of the Complaint.
9. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “9” of the Complaint.

10. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “10” of the Complaint, except Admits that shop steward was required to submit weekly reports.

11. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “11” of the Complaint.

12. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “12” of the Complaint.

13. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “13” of the Complaint.

14. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “14” of the Complaint.

15. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “15” of the Complaint.

16. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “16” of the Complaint.

17. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “17” of the Complaint.

18. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “18” of the Complaint.

19. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “19” of the Complaint.

20. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “20” of the Complaint.

21. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph "21" of the Complaint.

22. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph "22" of the Complaint.

23. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph "23" of the Complaint.

24. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph "24" of the Complaint.

25. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph "25" of the Complaint.

26. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph "26" of the Complaint.

27. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph "27" of the Complaint.

28. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph "28" of the Complaint.

29. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph "29" of the Complaint.

30. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph "30" of the Complaint.

31. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph "31" of the Complaint, except Admits to his membership in the District Council and Local 157, and being a shop steward.

32. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “32 of the Complaint.

33. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “33” of the Complaint.

34. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “34” of the Complaint.

35. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “35” of the Complaint.

36. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “36” of the Complaint.

37. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “37” of the Complaint.

38. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “38” of the Complaint.

39. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “39” of the Complaint.

40. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “40” of the Complaint.

41. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “41” of the Complaint.

42. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “42” of the Complaint.

43. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph "43" of the Complaint.

44. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph "44" of the Complaint.

45. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph "45" of the Complaint.

46. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph "46" of the Complaint.

ANSWERING THE FACTUAL ALLEGATIONS

47. Denies each and every allegation contained in Paragraph "47" of the Complaint.

48. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph "48" of the Complaint.

49. Denies each and every allegation contained in Paragraph "49" of the Complaint.

50. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph "50" of the Complaint.

51. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph "51" of the Complaint.

52. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph "52" of the Complaint, except admits to being indicted, and to pleading guilty on some of the charges.

53. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph "53" of the Complaint.

54. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “54” of the Complaint.

55. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “55” of the Complaint.

56. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “56” of the Complaint.

57. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “57” of the Complaint.

58. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “58” of the Complaint.

59. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “59” of the Complaint.

60. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “60” of the Complaint.

61. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “61” of the Complaint.

62. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “62” of the Complaint.

63. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “63” of the Complaint.

64. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “64” of the Complaint.

65. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “65” of the Complaint.

66. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “66” of the Complaint.

67. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “67” of the Complaint.

68. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “68” of the Complaint.

69. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “69” of the Complaint.

70. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “70” of the Complaint.

71. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “71” of the Complaint.

72. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “72” of the Complaint.

73. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “73” of the Complaint.

74. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “74” of the Complaint.

75. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “75” of the Complaint.

76. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph "76" of the Complaint.

77. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph "77" of the Complaint.

78. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph "78" of the Complaint.

79. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph "79" of the Complaint.

80. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph "80" of the Complaint.

81. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph "81" of the Complaint.

82. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph "82" of the Complaint.

83. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph "83" of the Complaint.

84. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph "84" of the Complaint.

85. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph "85" of the Complaint.

86. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph 86" of the Complaint.

87. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “87” of the Complaint.

88. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “88” of the Complaint.

89. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “89” of the Complaint.

90. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “90” of the Complaint.

91. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “91” of the Complaint.

92. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “92” of the Complaint.

93. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “93” of the Complaint.

94. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “94” of the Complaint.

95. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “95” of the Complaint.

96. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “96” of the Complaint.

97. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “97” of the Complaint.

98. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “98” of the Complaint.

99. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “99” of the Complaint.

100. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “100” of the Complaint.

101. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “101” of the Complaint.

102. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “102” of the Complaint.

103. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “103” of the Complaint.

104. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “104” of the Complaint.

105. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “105” of the Complaint.

106. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “95” of the Complaint.

107. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “107” of the Complaint.

108. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “108” of the Complaint.

109. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “109” of the Complaint.

110. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “110” of the Complaint.

111. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “111” of the Complaint.

112. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “112” of the Complaint.

113. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “113” of the Complaint.

114. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “114” of the Complaint.

115. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “115” of the Complaint.

116. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “116” of the Complaint.

117. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “117” of the Complaint.

118. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “118” of the Complaint.

119. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “119” of the Complaint.

120. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “120” of the Complaint.

121. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “121” of the Complaint.

122. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “122” of the Complaint.

123. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “123” of the Complaint.

124. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “124” of the Complaint.

125. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “125” of the Complaint.

126. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “126” of the Complaint.

127. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “127” of the Complaint.

128. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “128” of the Complaint.

129. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “129” of the Complaint.

130. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “130” of the Complaint.

131. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “131” of the Complaint.

132. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “132” of the Complaint.

133. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “133” of the Complaint.

134. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “134” of the Complaint.

135. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “135” of the Complaint.

136. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “136” of the Complaint.

137. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “137” of the Complaint.

138. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “138” of the Complaint.

139. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “139” of the Complaint.

140. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “140” of the Complaint.

141. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “141” of the Complaint.

142. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “142” of the Complaint.

143. Denies each and every allegation contained in Paragraph “143” of the Complaint.

144. Denies each and every allegation contained in Paragraph “47” of the Complaint.

145. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “145” of the Complaint.

146. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “146” of the Complaint.

147. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “147” of the Complaint.

148. Denies knowledge of information sufficient to form a belief as to the allegations contained in Paragraph “148” of the Complaint.

ANSWERING THE FIRST CAUSE OF ACTION

149. Defendant re-allege and incorporate by reference Paragraphs 1-148 as if stated in full herein.

150. Denies each and every allegation contained in Paragraph “150” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

151. Denies each and every allegation contained in Paragraph “151” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

152. Denies each and every allegation contained in Paragraph “152” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

153. Denies each and every allegation contained in Paragraph “153” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

154. Denies each and every allegation contained in Paragraph “154” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

155. Denies each and every allegation contained in Paragraph “155” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

156. Denies each and every allegation contained in Paragraph “156” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

157. Denies each and every allegation contained in Paragraph “157” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

158. Denies each and every allegation contained in Paragraph “158” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

159. Denies each and every allegation contained in Paragraph “159” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

160. Denies each and every allegation contained in Paragraph “160” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

161. Denies each and every allegation contained in Paragraph “161” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

162. Denies each and every allegation contained in Paragraph “162” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

163. Denies each and every allegation contained in Paragraph “163” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

164. Denies each and every allegation contained in Paragraph “164” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

ANSWERING THE SECOND CAUSE OF ACTION

165. Defendant re-allege and incorporate by reference Paragraphs 1-164 as if stated in full herein.

166. Denies each and every allegation contained in Paragraph “166” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

167. Denies each and every allegation contained in Paragraph “167” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

168. Denies each and every allegation contained in Paragraph “168” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

169. Denies each and every allegation contained in Paragraph “169” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

170. Denies each and every allegation contained in Paragraph “170” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

171. Denies each and every allegation contained in Paragraph “171” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

172. Denies each and every allegation contained in Paragraph “172” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

173. Denies each and every allegation contained in Paragraph “173” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

174. Denies each and every allegation contained in Paragraph “174” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

175. Denies each and every allegation contained in Paragraph “175” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

176. Denies each and every allegation contained in Paragraph “176” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

ANSWERING THE THIRD CAUSE OF ACTION

177. Defendant re-allege and incorporate by reference Paragraphs 1-176 as if stated in full herein.

178. Denies each and every allegation contained in Paragraph “178” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

179. Denies each and every allegation contained in Paragraph “179” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

180. Denies each and every allegation contained in Paragraph “180” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

181. Denies each and every allegation contained in Paragraph “181” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

182. Denies each and every allegation contained in Paragraph “182” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

ANSWERING THE FOURTH CAUSE OF ACTION

183. Defendant re-alleges and incorporate by reference Paragraphs 1-182 as if stated in full herein.

184. Denies each and every allegation contained in Paragraph “184” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

185. Denies each and every allegation contained in Paragraph “185” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

186. Denies each and every allegation contained in Paragraph “186” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

187. Denies each and every allegation contained in Paragraph “187” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

188. Denies each and every allegation contained in Paragraph “188” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

ANSWERING THE FIFTH CAUSE OF ACTION

189. Defendant re-alleges and incorporate by reference Paragraphs 1-188 as if stated in full herein.

190. Denies each and every allegation contained in Paragraph “190” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

191. Denies each and every allegation contained in Paragraph “191” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

192. Denies each and every allegation contained in Paragraph “192” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

193. Denies each and every allegation contained in Paragraph “193” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

194. Denies each and every allegation contained in Paragraph “194” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

ANSWERING THE SIXTH CAUSE OF ACTION

195. Defendant re-alleges and incorporate by reference Paragraphs 1-194 as if stated in full herein.

196. Denies each and every allegation contained in Paragraph “196” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

197. Denies each and every allegation contained in Paragraph “197” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

198. Denies each and every allegation contained in Paragraph “198” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

199. Denies each and every allegation contained in Paragraph “199” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

200. Denies each and every allegation contained in Paragraph “200” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

ANSWERING THE SEVENTH CAUSE OF ACTION

201. Defendant re-alleges and incorporate by reference Paragraphs 1-200 as if stated in full herein.

202. Denies each and every allegation contained in Paragraph “202” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

203. Denies each and every allegation contained in Paragraph “203” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

204. Denies each and every allegation contained in Paragraph “204” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

205. Denies each and every allegation contained in Paragraph “205” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

206. Denies each and every allegation contained in Paragraph “206” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

ANSWERING THE EIGTH CAUSE OF ACTION

207. Defendant re-alleges and incorporate by reference Paragraphs 1-206 as if stated in full herein.

208. Denies each and every allegation contained in Paragraph “208” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

209. Denies each and every allegation contained in Paragraph “209” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

210. Denies each and every allegation contained in Paragraph “210” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

211. Denies each and every allegation contained in Paragraph “211” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

212. Denies each and every allegation contained in Paragraph “212” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

213. Denies each and every allegation contained in Paragraph “213” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

ANSWERING THE NINTH CAUSE OF ACTION

214. Defendant re-alleges and incorporate by reference Paragraphs 1-213 as if stated in full herein.

215. Denies each and every allegation contained in Paragraph “215” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

216. Denies each and every allegation contained in Paragraph “216” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

217. Denies each and every allegation contained in Paragraph “217” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

218. Denies each and every allegation contained in Paragraph “218” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

219. Denies each and every allegation contained in Paragraph “219” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

220. Denies each and every allegation contained in Paragraph “220” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

ANSWERING THE TENTH CAUSE OF ACTION

221. Defendant re-alleges and incorporate by reference Paragraphs 1-220 as if stated in full herein.

222. Denies each and every allegation contained in Paragraph “222” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

223. Denies each and every allegation contained in Paragraph “223” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

224. Denies each and every allegation contained in Paragraph “224” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

225. Denies each and every allegation contained in Paragraph “225” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

226. Denies each and every allegation contained in Paragraph “226” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

227. Denies each and every allegation contained in Paragraph “227” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

ANSWERING THE ELEVENTH CAUSE OF ACTION

228. Defendant re-alleges and incorporate by reference Paragraphs 1-227 as if stated in full herein.

229. Denies each and every allegation contained in Paragraph “229” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

230. Denies each and every allegation contained in Paragraph “230” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

231. Denies each and every allegation contained in Paragraph “231” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

232. Denies each and every allegation contained in Paragraph “232” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

233. Denies each and every allegation contained in Paragraph “233” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

234. Denies each and every allegation contained in Paragraph “234” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

ANSWERING THE TWELFTH CAUSE OF ACTION

235. Defendant re-alleges and incorporate by reference Paragraphs 1-234 as if stated in full herein.

236. Denies each and every allegation contained in Paragraph “236” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

237. Denies each and every allegation contained in Paragraph “237” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

238. Denies each and every allegation contained in Paragraph “238” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

239. Denies each and every allegation contained in Paragraph “239” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

240. Denies each and every allegation contained in Paragraph “240” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

241. Denies each and every allegation contained in Paragraph “241” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

ANSWERING THE THIRTEENTH CAUSE OF ACTION

242. Defendant re-alleges and incorporate by reference Paragraphs 1-241 as if stated in full herein.

243. Denies each and every allegation contained in Paragraph “243” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

244. Denies each and every allegation contained in Paragraph “244” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

245. Denies each and every allegation contained in Paragraph “245” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

246. Denies each and every allegation contained in Paragraph “246” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

247. Denies each and every allegation contained in Paragraph “247” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

248. Denies each and every allegation contained in Paragraph “248” and respectfully refers all questions of law to the Court or Forum of appropriate jurisdiction.

WHEREFORE DEFENDANT respectfully requests that the Court issue and order dismissing the Complaint and all the relief requested in its entirety, and grant such other and further relief as this Court deems just and proper.

Dated: New York, NY
May 30, 2012

Yours, etc.,

/S/ Ira Treuhaft
Ira Treuhaft Esq.
TREUHAFT & ZAKARIN, LLP
305 Broadway, 9th Floor
New York, NY 10007
(212) 725-6418